

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
AT WINCHESTER

ANTHONY LIEDERMAN)	
)	Case No. 4:18-cv-00053
<i>Plaintiff,</i>)	
)	Judge J. Ronnie Greer
v.)	
)	Magistrate Judge Susan K. Lee
GRUNDY COUNTY SHERIFF'S)	
DEPARTMENT, et al.,)	
)	
<i>Defendants.</i>)	

ANSWER OF CHAD JOHNSON AND CODY SMITH

Defendants Chad Johnson and Cody Smith, individually, and in their official capacities as employees of the Twelfth Judicial Drug Task Force (DTF), answer Plaintiff Anthony Liederman's Complaint as follows:

- I. It is admitted that the acts and events that are the subject of the Complaint occurred on July 25, 2017 in Grundy County, Tennessee. The remainder of this section is denied.
- II. It is admitted that Plaintiff was placed under arrest. The remainder of this section is denied.
- III. Denied.
- IV. It is admitted that Plaintiff was in the backseat of a patrol car at the residence of Nona Kilgore. The remainder of this section is denied.
- V. Denied.
- VI. Denied.

DEFENSES

1. Defendants plead insufficient service of process.
2. No act or omission of Defendants deprived Plaintiff of his constitutional rights.
3. As employees of the Twelfth Judicial Drug Task Force (DTF), a State agency, Defendants are entitled to Eleventh Amendment immunity from money damages in their official capacity and are “persons” subject to suit under 42 U.S.C. § 1983. DTF and its employees, in their official capacities, are entitled to sovereign immunity from any state law claims.
4. Defendants are entitled to qualified immunity.
5. The search of Plaintiff’s residence was conducted pursuant to a legally valid search warrant based on probable cause.
6. As employees of the State of Tennessee, Defendants are absolutely immune from state law claims as provided under Tenn. Code Ann. § 9-8-307(h).
7. Defendants demand a trial by jury in this matter.

Respectfully submitted,

HERBERT H. SLATERY III
Attorney General and Reporter

s/ Peako A. Jenkins

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CERTIFICATE OF SERVICE

I hereby certify that on August 29, 2018 the foregoing document was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's electronic filing system.

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